

NURSING FACILITY PHYSICAL ENVIRONMENT

28-39-162a. Nursing facility physical environment; general requirements. (a) Except for a detached boiler, equipment room, laundry room, and storage spaces for yard and maintenance equipment and supplies and flammables, all units, areas, and rooms of the facility shall be within a single building under one roof and shall, at a minimum, contain the units, areas, and rooms listed in subsections (b) through (p) of this regulation.

(b) Nursing unit. A nursing unit shall consist of 60 fewer beds with the following areas and rooms. Any facility constructed after February 15, 1977 shall have at least 80 percent of the beds located in rooms designed for one and two beds and at least five percent of the beds located in one-bed rooms, each equipped with a private toilet. A nursing unit shall contain the following areas and rooms:

(1) Resident rooms. Each resident room shall meet the following requirements.

(A) Each room shall accommodate not more than four residents.

(B) The minimum room area, exclusive of toilet rooms, closets, lockers, wardrobes, other built-in fixed items, alcoves, and vestibules, shall measure 100 square feet in one-bed rooms and 80 square feet per bed in multi-bed rooms. Facilities licensed before January, 1963 shall provide a minimum floor area per bed as follows:

(i) One-bed rooms, 90 square feet per bed;

(ii) two-bed rooms, 80 square feet per bed; and

(iii) three- to four-bed rooms, 70 square feet per bed.

(C) Each resident room shall have direct access to a corridor.

(D) Each bed in a multi-bed room shall have ceiling-suspended curtains that extend around the bed to provide total visual privacy in combination with adjacent walls and curtains.

(E) Curtain material shall be launderable and flame retardant.

(F) Each resident room shall have at least one window that opens for ventilation. The window area shall not be less than 12 percent of the gross floor area of the resident room. Interior window stool height shall not exceed three feet above the floor and shall be at least two feet six inches above exterior grade. Facilities constructed before February 15, 1977 shall not be required to comply with this paragraph.

(G) Each resident room shall have a floor at or above grade level. Any facility constructed before the effective date of these regulations shall not be required to comply with this paragraph.

(H) Room configuration shall be adequate to permit the beds to align parallel to the exterior wall with a minimum of three feet of clearance from the sides and foot of the beds to the nearest fixed obstruction. The room configuration shall be designed so that beds are not located more than two deep from the exterior window wall. Any facility constructed before February 15, 1977 shall not be required to meet the specifications in this paragraph.

(I) Each resident room shall have a separate bed for each resident. The bed shall be of appropriate size and height and shall contain the following:

- (i) A clean, comfortable mattress; and
- (ii) bedding appropriate to the weather and needs of the resident.

(J) Each resident room shall have functional furniture appropriate to the resident's needs.

(K) The facility shall provide an individual space in a fixed closet or wardrobe with doors for each bed. Closets shall have, for each bed, a minimum floor area of five square feet, a minimum depth of one foot 10 inches, and a separated shelf and hanging rod of not less than two feet six inches. At least one foot three inches of the hanging rod shall have sufficient clearance for full-length garments. The hanging rods and shelves shall be accessible to the resident. Facilities constructed before February 15, 1977 shall provide a fixed closet or wardrobe with a shelf and hanging rod accessible to residents.

(2) Toilet facility. A toilet room shall serve not more than four beds and shall be accessible without entry from the general corridor. A toilet room shall contain a toilet and a lavatory, unless a lavatory is provided in each resident room.

(A) The minimum area of a toilet room serving a resident room shall be 30 square feet with sufficient turning radius for a wheelchair.

(B) If a bathing unit is included, the facility shall provide additional space. Space occupied by the bathing unit shall not be included in the minimum dimensions stated in this regulation.

(C) Any facility constructed before February 15, 1977 shall provide the resident with access to toilet and bathing facilities from the general corridor or shall provide direct access from the resident room to toilet and bathing facilities.

(3) Each resident room in any facility constructed after February 15, 1977 shall not be located more than 150 feet from the nursing service areas required by subsection (c) of this regulation. Distance shall be measured from one foot outside the resident room door along the shortest line, in the general corridor where the resident room appears, to within one foot of the designated service area.

(4) Resident call system.

(A) The facility shall provide each resident bed with a resident call button that shall register at the nurses' station with a common audible signal and a visual signal. Any facility constructed after May 1, 1982 shall provide a visual signal indicating the resident room number at the nurses' station.

(B) A visual signal shall be located at the resident room corridor door.

(C) The facility shall provide visual and audible signals in clean and soiled workrooms and in the medication preparation rooms. Any facility constructed before May 1, 1982 shall not be required to provide audible signals in clean and soiled workrooms and medication preparation rooms.

(D) In multi-corridor units, the facility shall install additional visible signals at corridor intersections if the facility was constructed after February 15, 1977.

(E) The facility shall install a resident emergency call button next to each toilet, shower, and bathtub accessible to residents.

(F) In any facility constructed after May 1, 1982, the emergency call system shall be operated by a cord pull that, when activated, turns on a light of a different color from that of the resident call system, over the corridor door at the site of the emergency.

(i) When the emergency call system is activated, it shall produce a rapidly flashing light and a repeating audible signal in the nurses' station, clean workroom, soiled workroom, and medication preparation rooms. Facilities constructed before May 1, 1982 shall not be required to have an audible signal or a rapidly flashing light.

(ii) The signals produced by the emergency call system shall be obviously different from those produced by the resident call system. Facilities constructed before May 1, 1982 shall not be required to have a different signal for the emergency call system.

(iii) The emergency call system shall continue to operate until it is manually reset at the site of origin.

(G) Resident call systems may include two-way voice communication. When a two-way system is used, it shall include all functions required in paragraph (b) (4) of this regulation and shall be equipped with an indicating light at each calling station that lights and remains lighted as long as the value circuit is operating.

(H) Each facility may use a wireless system to meet the requirements of this regulation, if the system meets both of the following criteria:

(i) When the resident call system is activated, an electronic device notifies direct care staff of the location at which the resident call system was activated.

(ii) Each nurses' station is equipped with a system that registers and documents the location of an activated resident call system.

(I) The resident call system selected shall be designed to ensure that staff are notified promptly if a resident is in need of assistance.

(c) Service areas or rooms. The service areas or rooms required in this regulation shall be located in each nursing unit and shall be accessible directly from the general corridor without passage through an intervening room or area, except medication preparation rooms. A service area or room shall not serve more than one nursing unit, except as otherwise indicated. The service areas and rooms specified shall provide space and equipment as prescribed in this regulation.

(1) Nurses' station.

(A) A nurses' station shall provide space for charting, records, a telephone, a resident call system, and an emergency call system signal register for rooms on the nursing unit.

(B) The nurses' station shall be located so that the corridors outside the doors of resident rooms are visible from the nurses' station. The facility may use television cameras and monitors to meet this requirement. Facilities constructed before February 15, 1977 shall not be required to comply with the requirements of this paragraph.

(2) Medication preparation room.

(A) A medication preparation room shall be equipped with the following:

(i) A work counter, lavatory or countertop sink, a refrigerator, and shelf space for separate storage and maintenance of residents' medications;

(ii) a door visible from the nurses' station, except any facility licensed before January,

1963; and

(iii) a door equipped with self-locking hardware and automatic door closures.

(B) The temperature in the medication room shall not exceed 85° F.

(C) Lighting shall be sufficient to provide 100 foot-candles at counter level.

(D) The medication preparation room shall contain a separate, locked, permanently affixed compartment for storage of controlled substances listed in K.S.A. 65-4107, and amendments thereto, and other drugs that, in the opinion of the consultant pharmacist, are subject to abuse.

(E) A medicine preparation room may serve more than 60 beds when a self-contained medication dispensing unit is used. The self-contained medication dispensing unit may be located at the nurses' station, in the clean workroom, in an alcove, or in other space convenient for staff control.

(3) Clean workroom. The facility shall provide a clean workroom for preparation, handling, storage, and distribution of clean or sterile materials and supplies.

(A) The room shall contain a work counter with sink or separate hand-washing lavatory and adequate shelving and cabinets for storage.

(B) Storage and preparation of food and beverages shall not be permitted in the clean workroom.

(C) The facility may store clean linen supplies in the clean workroom if sufficient shelving, cabinets, or cart-parking space is provided.

(D) Minimum room area shall be 80 square feet, with a minimum length or width of six feet. Any facility constructed before February 15, 1977 shall not be required to meet the requirements of this paragraph.

(E) The facility may provide additional rooms for storage of clean materials or supplies. These additional rooms shall not be required to have a counter or hand-washing facilities.

(4) Soiled workroom. The facility shall provide a soiled workroom for the disposal of wastes, collection of contaminated material, and the cleaning and sanitizing of resident care utensils.

(A) The soiled workroom shall contain a flushing-rim clinic sink, a work counter, a two-

compartment sink, a storage cabinet with a lock for sanitizing solutions and cleaning supplies used in the cleaning of resident care equipment, a covered waste receptacle, and a covered soiled linen receptacle. Any facility constructed before February 15, 1977 shall have a sink.

(B) Minimum room area shall be 80 square feet with a minimum length or width of six feet. Any facility constructed before February 15, 1977 shall not be required to comply with the requirements of this paragraph.

(C) The facility shall not store clean supplies, equipment, and materials in the soiled workroom.

(5) Clean linen storage. Clean linen storage shall be provided with adequate shelving, cabinets, or cart space, and may be located in the clean workroom required in paragraph (c) (3) of this regulation.

(6) Nourishment area.

(A) Each facility constructed after February 15, 1977 shall provide a nourishment area. The nourishment area shall contain the following:

- (i) A sink equipped for hand washing;
- (ii) equipment for serving nourishments between scheduled meals; and
- (iii) a refrigerator and storage cabinets.

(B) The nourishment area may be located adjacent to the dietetic service area.

(C) One nourishment area may serve more than one nursing unit. When the nourishment area serves more than one nursing unit, the nourishment area shall be centrally located for easy access from each of the nursing areas served.

(7) Equipment storage room. Each facility constructed after February 15, 1977 shall provide an equipment storage room for the storage of resident care equipment.

(A) The room shall have a minimum space of 120 square feet plus one square foot for each resident bed in the nursing unit.

(B) If mechanical equipment or electrical panel boxes are located in the storage room, the facility shall provide additional space for access and servicing of the equipment.

(8) Wheelchair parking space. Each facility constructed after February 15, 1977 shall

provide wheelchair parking space, which shall be out of the path of normal traffic. The space shall not be included in determining the minimum required corridor width.

(9) Resident bathing facilities. The facility shall provide resident bathing facilities at the rate of one for each 15 beds that are not otherwise serviced by bathing facilities within resident rooms. A mechanical bathing unit may be counted as two bathing facilities to meet this requirement.

(A) Bathing facilities shall be located in rooms or areas with access to a toilet and lavatory without entering the general corridor system.

(B) The toilet and lavatory shall be accessible to and usable by the physically disabled and may serve physically disabled visitors.

(C) The toilet enclosure shall be in a visually enclosed area for privacy in use.

(D) Bathing facilities on each nursing unit shall include at least one shower, and there shall be at least one mechanical bathing unit in the facility. Any facility constructed before the effective date of this regulation shall not be required to have a mechanical bathing unit.

(E) Each bathing facility shall be located within a visually enclosed area for privacy during bathing, drying, and dressing with space for an attendant and wheelchair. Any facility constructed before February 15, 1977 shall not be required to provide space for an attendant.

(F) Each shower shall be at least four feet by four feet without curbs and shall be designed to permit use by a resident in a wheelchair. Any facility constructed before February 15, 1977 shall be designed so that showers can be used by a resident in a wheelchair.

(G) The facility shall provide a cabinet with a lock in the bathing area for storage of supplies.

(10) Janitor's closet. The facility shall provide a janitor's closet with a floor receptor or service sink, hot and cold water, a shelf, and provisions for hanging mops. Any facility constructed before February 15, 1977 shall provide at least one janitor's closet in the facility with a floor receptor or service sink, and storage space for janitorial equipment and supplies.

(11) Drinking fountain. The facility shall provide at least one drinking fountain that is accessible to persons in wheelchairs. Any facility constructed before February 15, 1977 shall not be required to provide a drinking fountain.

(12) The facility shall provide a staff toilet room with toilet and lavatory. Any facility constructed before February 15, 1977 shall not be required to provide a staff toilet room.

(d) Living, dining, and recreation areas.

(1) The facility shall provide space for living, dining, assisted dining, and recreation at a rate of 27 square feet per resident. At least 14 square feet of this space shall be utilized for the dining area.

(2) Each facility constructed before February 15, 1977 shall provide space for living, dining, and recreation at a rate of 20 square feet per resident capacity of the facility. At least 10 square feet per resident shall be utilized as dining space.

(3) The facility shall provide window area for living and dining areas at a minimum of 10 percent gross floor area of the living and dining area. The window area requirement shall not be met by the use of skylights. Windowsill height shall not exceed three feet above the floor for at least $\frac{1}{2}$ of the total window area. Any facility constructed before February 15, 1977 shall not be required to meet the provisions of this paragraph.

(e) Quiet room. Each facility shall provide a quiet room, with a minimum floor area of 80 square feet, unless each resident room in the facility is a one-bed room. Residents shall have access to the quiet room for reading, meditation, solitude, or privacy with family and other visitors. Any facility constructed before February 15, 1977 shall not be required to provide a quiet room.

(f) Examination room. Each facility shall provide an examination room, unless each resident room is a one-bed resident room.

(1) One examination room may serve more than one nursing unit.

(2) Room area shall be a minimum of 120 square feet with a minimum length and width of 10 feet.

(3) The room shall contain either a lavatory or counter and sink equipped for hand washing, an examination table, and a desk or shelf for writing.

(4) The examination room may be located in the rehabilitation therapy room and shall be equipped with cubicle curtains around the space and facilities listed in paragraphs (2) and (3) of this subsection.

(5) If the examination room is located in the rehabilitation therapy room, the facility shall provide additional space appropriate to the functional use of the area.

(6) Any facility constructed before February 15, 1977 shall not be required to provide an examination room.

(g) Rehabilitation therapy room. Each facility shall provide a room for the administration and implementation of rehabilitation therapy.

(1) The facility shall provide a lavatory and an enclosed storage area for therapeutic devices.

(2) Each facility with 60 or fewer beds shall provide a rehabilitation therapy room with a minimum of 200 square feet. Each facility with more than 60 beds shall provide 200 square feet plus two square feet for each additional bed over 60, to a maximum of 655 square feet.

(3) Each facility constructed before February 15, 1977 shall provide a rehabilitation therapy room. The facility shall provide a lavatory and an enclosed storage area for therapeutic devices.

(h) Activities room. Each facility shall provide an activities room or area for crafts and occupational therapy.

(1) The room shall contain a work counter with a sink equipped for hand washing.

(2) When a room is used for multiple purposes, there shall be sufficient space to accommodate all activities and prevent interference between activities.

(3) Each facility with 60 or fewer beds shall provide a room with a minimum of 200 square feet. Each facility with more than 60 beds shall provide 200 square feet plus two square feet for each additional bed over 60.

(4) The facility shall provide lockable cabinets for storage of supplies.

(5) Each facility constructed before February 15, 1977 shall provide an activities area with a work counter and storage cabinet. A hand-washing facility shall be accessible to residents who use this room or area.

(i) Personal care room. Each facility shall provide a separate room or area for hair care and grooming of residents.

(1) The facility shall provide at least one shampoo sink, space for one hair dryer and work space, and a lockable cabinet for supplies.

(2) Each facility shall provide a room with a size appropriate to the number of residents to be served. The facility shall exhaust room air to the outside.

(3) Each facility constructed before February 15, 1977 shall provide a separate room or

area for hair care and grooming of residents. The facility shall provide at least one shampoo sink, space for one hair dryer, and work space.

(j) Administrative and public areas.

(1) Each facility constructed after February 15, 1977 shall provide the following administrative and public areas:

(A) An entrance at grade level to accommodate persons in wheelchairs;

(B) an entrance sheltered from the weather;

(C) a lobby with communication to the reception area or information desk;

(D) a toilet and lavatory accessible to and usable by a person in a wheelchair;

(E) at least one public toilet for each facility of 60 or fewer beds. Each facility of more than 60 beds shall provide at least two public toilets;

(F) a public telephone accessible to a person in a wheelchair;

(G) an administrator's office; and

(H) storage space for supplies and office equipment.

(2) Each facility constructed before February 15, 1977 shall provide the following administrative and public areas:

(A) An entrance at grade level able to accommodate persons in wheelchairs;

(B) one public toilet and lavatory;

(C) one toilet and lavatory accessible to by a person in a wheelchair;

(D) a public telephone accessible to a person in a wheelchair; and

(E) a general office for administration.

(k) General storage.

(1) The facility shall provide a general storage room or rooms concentrated in generally one area. The room or rooms shall have an area of no fewer than five square feet per bed.

(2) Each facility constructed before February 15, 1977 shall provide a general storage room or rooms.

(l) Outside storage. The facility shall provide a room that opens to the outside or that is located in a detached building for the storage of tools, supplies, and equipment used for yard and exterior maintenance.

(m) Dietary areas. The facility shall provide dietary service areas that are adequate in relation to the size of the facility. New construction, equipment, and installation shall comply with the standards specified in health, education, and welfare (HEW) 1976 publication no. FDA 78-2081, "food service sanitation manual," hereby adopted by reference. The facility shall design and equip food service facilities to meet the requirements of the residents. A facility shall provide the following elements in a size appropriate to the implementation of the type of food service system employed.

(1) There shall be a control station for receiving food supplies.

(2) There shall be a storage space for food for at least four days.

(3) There shall be food preparation facilities. Conventional food preparation systems shall include space and equipment for preparing, cooking, baking, and serving. Convenience food service systems, including frozen prepared meals, bulk-packaged entrees, individually packaged portions, or a system using contractual commissary services, shall include space and equipment for thawing, portioning, cooking, and baking.

(4) There shall be a two-compartment sink for food preparation. Each facility constructed before February 15, 1977 shall be required to have a sink for food preparation.

(5) There shall be a lavatory in the food preparation area.

(6) There shall be space for equipment for resident meal service, tray assembly, and distribution.

(7) There shall be a ware-washing area apart from and located to prevent contamination of food preparation and serving areas. The area shall include commercial-type dishwashing equipment. Space shall be provided for receiving, scraping, sorting, and stacking soiled tableware and for transferring clean tableware to the using area.

(8) There shall be a three-compartment deep sink for manual cleaning and sanitizing.

(9) Exhaust ventilation for the ware-washing room and dietary dry storage area shall conform to K.A.R. 28-39-162c, table 1.

(10) There shall be a sanitizing provision for cans, carts, and mobile tray conveyors in any facility constructed after February 15, 1977.

(11) There shall be a waste storage area in a separate room or an outside area that is readily accessible for direct pickup or disposal.

(12) There shall be office workspace for the dietitian or dietetic services supervisor.

(13) A staff toilet and lavatory shall be accessible to the dietary staff.

(14) Each facility constructed after February 15, 1977 shall contain a janitor's closet located within the dietary department, which shall contain a floor receptor or service sink, and storage space for housekeeping equipment and supplies.

(n) On-site laundry.

(1) If the laundry is to be processed on-site, each facility constructed after February 15, 1977 shall comply with the following provisions.

(A) Doors of the laundry rooms shall not open directly onto the nursing unit.

(B) There shall be a soiled laundry receiving, holding, and sorting room accessible from the service corridor or from the outside and furnished with containers with tight-fitting lids for soiled laundry.

(C) There shall be a laundry processing room with commercial-type equipment and with the capability to process laundry sufficient to meet the residents' needs at all times.

(D) The facility shall provide a lavatory in the processing area.

(E) There shall be a janitor's closet containing either a floor receptor or service sink and storage area for housekeeping equipment and supplies that opens into the laundry processing area.

(F) There shall be a clean laundry handling, storage, issuing, mending, and holding room with egress that does not require passing through the processing or soiled laundry room.

(G) The processing room, soiled laundry room, and clean laundry room shall be physically separate.

(H) The facility shall provide storage space for laundry supplies.

(I) Exhaust ventilation shall conform to K.A.R. 28-39-162c, table 1.

(2) If laundry services are provided on-site in facilities constructed before February 15, 1977, the facility shall comply with the following provisions.

(A) The facility shall provide a laundry processing room with space for receiving, holding, and sorting soiled laundry, and with equipment capable of processing seven days' laundry needs within a regularly scheduled work week. The facility shall keep the soiled and clean laundry functionally separate.

(B) The facility shall provide a space for holding soiled laundry that is exhausted to the outside.

(C) The facility shall provide hand-washing facilities within the laundry area.

(D) The facility shall provide clean laundry processing and storage rooms.

(3) If laundry is to be processed off-site, the following shall be provided:

(A) A soiled laundry holding room that is equipped with containers with tightly fitting lids and that is exhausted to the outside; and

(B) clean laundry receiving, holding, inspection, and storage rooms.

(o) Employees' service areas. Each facility constructed after February 15, 1977 shall provide locker rooms, lounges, toilets, or showers to accommodate the needs of all personnel and volunteers in addition to those required for certain departments.

(p) Janitor's closets. In addition to the janitor's closets required in paragraphs (c) (10) and (m) (1) (E), the facility shall provide sufficient janitor's closets throughout the facility to maintain a clean and sanitary environment.

(1) Each janitor's closet shall contain either a floor receptor or service sink and storage space for housekeeping equipment and supplies.

(2) Each facility constructed before February 15, 1977 shall have at least one janitor's closet.

(q) Engineering service and equipment areas. Each facility constructed after February 15, 1977 shall be equipped with the following areas:

(1) A maintenance office and shop;

(2) an equipment room or separate building for boilers, mechanical equipment, and electrical equipment; and

(3) a storage room for building maintenance supplies. The storage room may be a part of the maintenance shop in facilities of 120 or fewer beds.

(r) Waste processing services. The facility shall provide space and equipment for the sanitary storage and disposal of waste by incineration, mechanical destruction, compaction, containerization, or removal, or by a combination of these techniques.

(Authorized by and implementing K.S.A. 39-932; effective Nov. 1, 1993; amended Feb. 21, 1997; amended October 8, 1999.)